

AUBURN CITY COUNCIL MINUTES

REGULAR SESSION

September 22, 2003

Closed Session 5:30 p.m.

Regular Session 6:00 p.m.

The Regular Session of the Auburn City Council was held in the Council Chamber, City Hall at 1225 Lincoln Way, Auburn, California with Mayor Kathy Sands presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Members Present: Alice Dowdin, Kevin Hanley,
Cheryl Maki, Mike Holmes, Mayor
Kathy Sands

Council Members Absent: None

Staff Members Present: City Manager Bob Richardson
City Attorney Charles Wachob
Police Chief Nick Willick
Fire Chief Mark D'Ambrogi
Public Works Director Tom
Fossum
Community Development Director
Will Wong
Airport Manager Jerry Martin

Motion to adjourn to a Closed Session under Government Code
Section 54956.9:

- (1) Pursuant to Government Code 54957.6:
CONFERENCE WITH LABOR NEGOTIATOR
Agency Negotiator: Robert Richardson
Employee Organization: Auburn Police Officer Association
APOA)

MOTION: Holmes/Dowdin/Approved by voice

RECONVENE REGULAR SESSION, 6:00 p.m.

REPORT OUT OF CLOSED SESSION

Mayor Sands said that by a 5:0 vote the Council moved to approve a tentative agreement between the City of Auburn and the Police Officers Association and have authorized the City Manager to sign a Memorandum of Understanding (MOU) on behalf of the city, subject to review by the City Attorney.

PRESENTATION TO THE CITY OF AUBURN

Certificate of Recognition to the City of Auburn from the California Transportation Foundation to be presented by Celia McAdam, Executive Director of Placer County Transportation Planning Agency.

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Mayor's Proclamation: Auburn Symphony Month, October 2003

Mayor's Proclamation: International Walk to School Week, October 6 – 10, 2003

AGENDA APPROVAL

Item 14 was moved ahead of Item 12 at the request of Council Member Maki. The Agenda was then approved as amended without objection.

CONSENT CALENDAR

1. Warrants

By **RESOLUTION 03-108** approve Warrants #54834-55109 totaling \$1,167,730.04.

2. Council Minutes

Item continued at the request of Council Member Dowdin.

3. 2002 Resources Bond Act-Roberti-Z'Berg-Harris Block

By **RESOLUTION 03-109** adopt the City of Auburn allocation of \$3,331 in Roberti-Z'Berg-Harris Block Grant Funds from the 2002 Resources Bond Act.

4. **2002 Resources Bond Act-Per Capita Allocation \$220,000**

By **RESOLUTION 3-110** adopt the City of Auburn Allocation of \$220,000 in Per Capita Funds from the 2002 Resources Bond Act.

5. **Sale of Surplus Property on Blocker Drive**

- A. By **RESOLUTION 03-112** declare the property along the north side of Blocker Drive as shown on Exhibit B as surplus and excess to the needs of the City.
- B. By **RESOLUTION 03-113** authorize the City Manager to execute a Sale Agreement with Paul Aronowitz and Ron Meyer for the property described in Exhibit A and depicted on Exhibit B.

***** End of Consent Calendar *****

By **MOTION:** approve Consent Calendar as amended. **MOTION:**
Dowdin/Hanley/Approved 5:0

6. **Public Comment**

Donald Anderson of 11350 Mt. Vernon Road said the shelters at the train station will be totally ineffective against the southwest rains, unless they are enclosed with large overhangs and entrances from the north.

Jerry Martin of 948 Herr Way said the move by the CHP Air Operations Unit from the Auburn Airport to the Sacramento Executive Airport has been finalized and the contract signed. *"I've analyzed this move every way I can, based on a career of flying many search, rescue and medivac missions myself and there's no way that I can make any sense out of this. This is a tragedy of tremendous proportions for the residents of all the foothill communities as well as visitors to the Sierras. I don't think Auburn or any of the foothill communities really grasps the enormity of the impact this move has. The CHP is moving the only foothills-based search and rescue air assets thirty minutes farther away from the areas where they are needed most to an airport known to fog in, to be the first to fog in and the last to clear during our winter weather. These are the only search and rescue assets available to Butte, Nevada and El Dorado Counties and Placer County has only limited capability with the volunteer helicopter crews."* He said that persons involved in any kind of accident will lose thirty minutes out of the first golden hour of receiving medical treatment and evacuation to a trauma center. *"The move violates all principles of public safety."*

Everywhere else public safety assets and personnel are based in the community or the areas they are tasked with protecting.”
He said the lives of hundreds of people will be at risk.

Public Works Director Tom Fossum introduced Danny Stevens, the new Project Manager of Operations Management International (OMI), which operates the wastewater treatment plant.

Mayor Sands thanked the Chamber of Commerce and the volunteers for all their work in the Black And White Ball.

PUBLIC HEARINGS

7. Expenditure of State COPS Funds

Police Chief Nick Willick said these state funds must be used to supplement current funds and may not be used to supplant funds already budgeted. They are usually used for personnel and related equipment costs.

By **RESOLUTION 03-111** approve the recommended expenditure of State COPS Funds. **MOTION: Maki/Holmes/Approved 5:0**

8. Appeal of Palm Terrace Apartments, 11865 Mount Vernon Road – Phased Occupancy

Community Development Director Will Wong introduced the item. He said the Council is to consider the appeal of the Planning Commission’s approval of phasing of the occupancy of the Palm Terrace Apartments. The adjacent resident, Norman Johnson filed the appeal. His concerns had to do with the water line easement, drainage onto his property from the project and the detention pond.

Norman Johnson told the Council that there was about two feet of water in the detention pond and he was concerned that the mosquitoes breeding there could have the West Nile virus. Recently the construction company started to fill in the pond with dirt, construction debris, trees and asphalt. He showed pictures of these materials, including an old concrete sidewalk, being pushed into the pond area.

Mr. Johnson said he has problems with the water line. Over the past fifteen months his water service was interrupted eleven times and water has flowed underneath his house. The contractor is not complying with water agency regulations.

Donald Anderson, who said he has about thirty-seven years of experience in heavy construction, said this project is in violation of all pollution controls. The City of Auburn would be remiss if they approved any kind of occupancy until these problems are addressed. He said this company's track record is terrible.

Mary Holliday-Sopko said she used to work for Affordable Housing Development Corporation (AHDC) and now works for the management company that manages the property after it is complete. She came to the defense of AHDC and said they have always worked extremely hard with all the cities to get along and do the right thing. She asked the Council to approve the phased occupancy. She said the project itself has been approved. The builders will do everything they have to do to get the certificate of occupancy. This way, some of the families on the waiting list can move in without waiting for all the units to be approved at the same time.

Doug Sibley, project manager, said all conditions set forth by the city will be met.

Mark Bledsoe, President of Housing Alliance of Placer County, said he thinks like it could be a relatively easy fix. He recommended approval of the phased occupancy.

Bill Pryor of 11737 Mt. Vernon Avenue said he didn't think the housing could be occupied *"the way the conditions were written without everything being in compliance"*. However he said he didn't see why the project should be held back, so long as the builder complies with all the conditions. But Norman Johnson's problems should also be addressed.

Council Member Hanley said the project should move ahead, but he was not comfortable with a final approval until the neighbors are happy.

Public Works Director Tom Fossum said the builder will have to comply with all the requirements and conditions that were imposed in the original approval. For the phasing to be approved all the improvements have to be done. All the site work, from the grading and landscaping to the detention pond, has to be done.

Community Development Director Will Wong said occupancy couldn't take place until all the conditions of approval have been met.

Council Member Holmes said he was not convinced that any of the conditions imposed by the Planning Commission would solve any of Mr. Johnson's concerns.

By **MOTION** deny the appeal and uphold the Planning Commission's approval to amend the Civic Design for the Palm Terrace Apartment project to allow for phased occupancy (File CD Amend 00-7) **MOTION:**
Sands/Holmes/Approved by voice

REPORTS

9. Quarterly Reports from Committees and Commissions

Informational report from the Traffic Committee
No report.

10. Informational Reports from Staff

Monthly report from the Director of Public Works.
A written report was submitted by the Public Works Director.

11. City Council Committee Reports

None

COUNCIL BUSINESS

12. Auburn Arts Commission Public Art Project – Dawson Oil Tanks Mural Project

Randy Mealhow, member of the Arts Commission, said this is merely a request to the Council to authorize the Commission to proceed with a call to artists. The artists are to come up with conceptual ideas on painting the oil tanks as well as providing cost estimates. He said that, based on past projects, on average it should cost about \$5,000 for each of the four storage tanks.

Council Member Maki said this is a perfect location for public art.

Council Member Hanley said that the Council should understand that by putting public art on private property the City will not have total control over the art work. He thinks that the City can't do much, if for example, Mr. Dawson decides to get rid of the gas tanks.

By **MOTION** approve in concept the Dawson Oil Tanks Mural Project and authorize the Auburn Arts Commission to proceed with the issuance of a Call to Artists. **MOTION: Maki/Holmes/Approved by voice**

13. **Civic Design-490 Nevada Street (Nevada Street Commercial Complex)**

Mayor Sands and Council Members Maki and Holmes said they were pleased with Option 2. Otherwise there was no Council discussion. By **MOTION** approve Option 2 for the architectural elevations associated with the Nevada Street Commercial Complex located at 490 Nevada Street. **MOTION: Hanley/Dowdin/Approved by voice.**

14. **Conceptual Approval for Park Preserve Project**

This item preceded Item 12. City Manager Bob Richardson explained the complexities of the project and how it will be funded.

By **MOTION** provide conceptual approval to move forward with the drafting of all necessary documents and agreements for the purchase of the Park Preserve property, the Epperle Lane property as well as Phase I construction of the Park Preserve Project. **MOTION: Holmes/Maki/ Approved by voice**

ADJOURNMENT at 8:25 p.m.

Kathy Sands, Mayor

Joseph G.R. Labrie, City Clerk